IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(C).No. 1087 of 2007(D)

PETITIONER:

SIVARAMA N.A.,
S/O. APPAYYA MANIYANI, AGED 41 YEARS,
RESIDING AT NIDIYADKA, NETTANIGE VILLAGE & POST,
KASARGOD DISTRICT.

BY ADV. SRI.SURESH KUMAR KODOTH

RESPONDENTS:

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1. JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), KASARGOD.

2. BELLUR SERVICE CO-OPERATIVE BANK LTD.
NO.C-360, P.O. BELLUR, KASARGOD DISTRICT.

3. SRI.A.N.ASHOKUMAR,
ADVOCATE, BANK ROAD, KASARGOD.

R1 BY G.P. SRI.P.K.RAVIKRISHNAN
R2 BY ADV. SRI.K.SHRIHARI RAO
SRI.M.RAMESH CHANDER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF ADVERTISEMENT DT.7.7.2006 IN "KARAVAL" PUBLISHED ON 10.7.06 ALONG WITH ITS ENGLISH TRANSLATION.

P2: TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES BOOK.

P3: TRUE COPY OF THE REPRESENTATION DT.18.12.2006 ALONG WITH RECEIPT DT.19.12.2006.

P4: TRUE COPY OF CIRCULAR NO.18/91 DT.7.6.91.

P5: TRUE COPY OF THE SAID ORDER DT.29.12.2006 ISSUED BY R1.

RESPONDENT'S EXHIBITS:

R2(a): TRUE COPY OF LETTER DT.30.11.06 OF THE BANK TO R3.

R2(b): TRUE COPY OF LETTER DT.4.12.2006 OF R3 TO THE BANK.

R2(c): .DO. DT.11.1.07 .DO.

R2(d): .DO. DT.12.1.07 .DO.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.1087 of 2007

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Dated this the 3rd day of April, 2007.

JUDGMENT

Petitioner, one of the members of the Managing Committee of the second respondent-Bank is challenging the appointment of third respondent by the Bank to conduct a test for selection to the post of Peon in the Bank. The only allegation is that third respondent is an office bearer of a political party and is therefore, disqualified to conduct examination for selection to the post of Peon. I do not think this court should interfere in the matter because if there is any tenable objection, the petitioner is free to raise the same before the Board of Directors of which petitioner is also a member. The W.P. is therefore disposed of directing the second respondent to consider petitioner's objections while making selection from the list forwarded by third respondent.

C.N.RAMACHANDRAN NAIR
Judge

pms